

REMARKS

Applicants reply to the Office Action dated August 31, 2010 within three months. Claims 1-25 are pending in the application and the Examiner rejects claims 1-25. Support for the amendments may be found in the originally-filed specification. No new matter is entered with these amendments. Applicants respectfully request reconsideration of this application.

Rejections under 35 U.S.C § 103

The Examiner rejects claims 1-25 under 35 U.S.C. § 103(a), as being unpatentable over Basch et al., US Patent No. 6,658,393, (“Basch”), in view of Lawrence, U.S. Publication No. 2003/0225687 (“Lawrence”) and AAPA. Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Basch generally teaches a “method for predicting financial risk,” (abstract). The Examiner, at page 7 of the Office Action, alleges claim 39 of Basch, discloses “transmitting, by the computer system, an approving the transaction or referring the transaction for further identification based upon the output of the fraud risk model,” as recited by independent claim 1 (emphasis added, as amended) and similarly recited by independent claims 16, 24 and 25. reproduced below:

39. A computer-implemented method as recited in claim 32 further including: transmitting said score to a transaction authorization system, wherein when said score is determined to be below the predefined financial risk, the transaction authorization system is arranged to deny an authorization request.

However, claim 39 discloses denying requests. Denying a request is not analogous to nor does it disclose or contemplate approving the transaction or referring the transaction. Stated another way, the options of approving a transaction or referring a transaction for further identification are distinctly different from denying requests. Basch is silent as to “approving the transaction or referring the transaction for further identification based upon the output of the fraud risk model,” as recited by independent claim 1 (emphasis added, as amended) and similarly recited by independent claims 16, 24 and 25.

Similarly, Lawrence is also silent as to “approving the transaction or referring the transaction for further identification based upon the output of the fraud risk model,” as recited by independent claim 1 (emphasis added, as amended) and similarly recited by independent claims

16, 24 and 25. As such, the cited references and alleged AAPA alone or in combination do not disclose or contemplate “transmitting, by the computer system, an approval of the transaction or referral of the transaction for further identification based upon the output of the fraud risk model,” as recited by independent claim 1 (as amended) and similarly recited by independent claims 16, 24 and 25.” Accordingly, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Dependent claims 2-15, and 17-23 variously depend from independent claims 1 and 16. Therefore, Applicants assert that dependent claims 2-15, and 17-23 are patentable for at least the same reasons stated above for differentiating independent claims 1, 16, 24 and 25, as well as in view of their own respective features. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 2-15, and 17-23.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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By: 

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